

**CASE NO. 15-35044**

---

---

**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

---

---

RAVALLI COUNTY REPUBLICAN CENTRAL COMMITTEE, GALLATIN  
COUNTY REPUBLICAN CENTRAL COMMITTEE, SANDERS COUNTY  
REPUBLICAN CENTRAL COMMITTEE, DAWSON COUNTY REPUBLICAN  
CENTRAL COMMITTEE, & STILLWATER COUNTY REPUBLICAN  
CENTRAL COMMITTEE,

*Plaintiffs-Appellants,*

v.

LINDA McCULLOCH, in her capacity as Montana's Secretary of State; REGINA  
PLETTENBERG, in her capacity as the Election Administrator of Ravalli County,  
CHARLOTTE MILLS, in her official capacity as the Election Administrator of  
Gallatin County, BOBBI CHRISTENSON, in her capacity as the Election  
Administrator of Sanders County, SHIRLEY KREIMAN, in her capacity as the  
Election Administrator of Dawson County, PAULINE MISHLER, in her capacity  
as the Election Administrator of Stillwater County,

*Defendants-Appellees,*

---

On Appeal from an Order Denying a Preliminary Injunction Motion  
United States District Court for the District of Montana  
Case No. CV-14-58-H-BMM  
The Honorable Brian Morris, Presiding

---

---

**UNOPPOSED MOTION TO VOLUNTARILY DISMISS APPEAL**

---

---

Pursuant to Federal Rule of Appellate Procedure 42(b), Appellants hereby  
respectfully request that the Court dismiss the appeal in the above-captioned  
matter, with each side to bear its own costs. The appeal is based upon Appellees'

violation of Appellants' First Amendment rights by enforcement of statutes requiring the internal leadership of political parties be selected by non-party members. On May 5, 2015, Montana Governor Steve Bullock signed into law HB 454, which allows political parties to establish their own rules regarding the selection of their internal leaders. Appellants' preliminary injunction appeal is therefore moot.

Appellants' counsel has contacted counsel for Appellees regarding this motion. Appellees' counsel stated that he does not oppose this motion.

DATED: May 12, 2015

Respectfully submitted,

/s/ Matthew G. Monforton

Matthew G. Monforton

Monforton Law Offices, PLLC

32 Kelly Court

Bozeman, Montana 59718

Telephone: (406) 570-2949

Facsimile: (406) 551-6919

Attorney for Appellants

### **CERTIFICATE OF SERVICE**

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on May 12, 2015.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

DATED: May 12, 2015

Respectfully submitted,

Monforton Law Offices, PLLC

By: /s/ Matthew G. Monforton

Matthew G. Monforton  
*Attorney for Plaintiffs-Appellants*